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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,580	08/09/2001	Vugranam C. Sreedhar	YOR920010262US2	2877
48062 7590 07/24/2009 RYAN, MASON & LEWIS, LLP 1300 POST ROAD SUITE 205 FAIRFIELD, CT 06824				
EXAMINER				
VO, TED T				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: VUGRANAM C. SREEDHAR

Appeal No. 2008-004387
Application No. 09/925,580
Technology Center 2100

Mailed: July 24, 2009

Before DALE M. SHAW *Chief Appeals Administrator*

ORDER REMANDING TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences (BPAI) on June 30, 2008. A docketing notice was mailed to Appellant on July 9, 2008. A further review of the application has revealed that it is not ready for decision consideration by a BPAI judicial panel. Accordingly, the application is herewith being remanded to the Examiner to address the following matter.

APPEAL BRIEF, APPEALED CLAIMS

Appellant has not appealed all rejected claims. Specifically, a review of the Grounds of Rejection on the record finds that rejections are outstanding for the following pending claims: 2-4, 10-12, and 18. The rejected claims that have not been appealed and/or argued for appeal are claims 2, 3, 10, and 11.

DISCUSSION

The Board of Appeals and Interferences (Board), in *Ex parte Ghuman*, <http://www.uspto.gov/web/offices/dcom/bpai/prec/rm081175.pdf> (BPAI May 14, 2008) (precedential), held that in appeals where rejected claims are expressly withdrawn, or are implicitly withdrawn by not presenting arguments in support of patentability, the Board will remand (or return) the application to the Examiner with instructions to cancel the expressly or implicitly withdrawn claims. *See also Manual of Patent Examining Procedure* (MPEP) § 1215.03 (8th ed. Rev. 7, Sept 2008).

CONCLUSION

Accordingly, it is

ORDERED that this application be remanded to the Examiner to:

- 1) to enter a paper canceling claims 2, 3, 10, and 11; and
- 2) upon entry of the paper, to return the application to the Board
for the consideration of appealed claims; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/PEB

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